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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,594	10/30/2003	Hiroyuki Nagano	4686-001	7167
23429 7590 06/09/2008 LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 ALEXANDRIA, VA 22314				
EXAMINER HARPER, TRAMAR YONG				
ART UNIT		PAPER NUMBER		
3714				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/696,594

**Applicant(s)**

NAGANO, HIROYUKI

**Examiner**

TRAMAR HARPER

**Art Unit**

3714

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 8-10 and 20-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-10, & 20-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S5108)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

Examiner acknowledges Request for Continued Examination filed 05/19/08.

Examiner acknowledges receipt of amendments/arguments filed 05/19/08. The arguments set forth are addressed herein below. Claims 1-5, 8-10, & 20-26 are pending and Claims 27-32 are newly added.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 28 and 31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. No where in the specification does it explicitly state that the top surface of the bill guide plate is accessible from the outside through the loading dock for the purpose of **facilitating cleaning of the bill guide plate without having to open the door can be accomplished**. The applicant only has support for "when the foreign matter, such as tobacco ash, is fallen onto the bill guide plate, the foreign matter can be washed off and thus cleaned off more readily than by wiping off." Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-5, 8-10, & 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parish et al (US 5,156,250) in view of Watabe et al (US 5,505,289).**

**Claims 1, 8, & 20-21:** Parish discloses a currency receiver for use within a vending machine. The vending machine including a cabinet, a door, a bill insertion slot and a bill guide (Figs. 1-12). The bill guide includes a plurality of slot openings for separating foreign matter or liquid from the currency (Abstract). Parish discloses such a bill receiver prevents customer tampering, vandalism, and malfunction of a vending machine (Col. 1:21-41). Parish discloses that the currency receiver can be used in any vending machine that accepts currency (Col. 2:40-52). Figs. 1-2, illustrate the bill guide enclosed in a mounting member. Parish discloses that liquid sometimes can enter the mechanisms of the vending machine and cause malfunction to occur and the liquid diverter/bill guide is provided for purposes of redirecting liquid/foreign matter outwardly away from the bill validator and vending machine (Col. 1:35-40, Col. 2:63-Col. 3:4). Furthermore, Parish clearly discloses the bill guide fixed to the mounting inserted into the notch of the control panel of the vending machine (Fig. 2). It appears that Parish discloses a liquid diverter including bill guide that diverts liquid via through apertures

100 and 102 thereby preventing liquid from entering the machine by diverting liquid downwardly. Additionally, the liquid is redirected towards inlet opening 120 e.g. outwardly. Furthermore, a closing channel 126 prevents liquid from entering the machine (col. 4:1-2, 38-44). Parish clearly teaches that dishonest customers attempt to pour liquid into the bill guide slot and into the components of the machine causing electrical shorts and damaging the apparatus and that the liquid diverter is geared towards preventing undesirable electrical conditions and malfunctions from occurring (Col. 1:20-41).

However, Parish fails to disclose a first open end covered by the bill guide plate and located under the openings of the bill guide plate for receiving the foreign matter dropped from said openings and a second open end located below and communicated with the first open end, second open end being opened downwards for directing the foreign matter further downwardly. Watabe discloses a bill guide with a bill guide plate wherein the mounting member (15) comprises of a first open end covered by the bill guide plate/inlet and located under the opening (65) of the bill guide plate for receiving the foreign matter dropped from said opening and a second open end (51) located below and communicated with the first open end, second open end being opened downwards for directing the foreign matter further downwardly (Abstract, Col. 2:20-29, Col. 4:35-40, Col. 4:58-65, Figs. 5-6). It would have been obvious to one of ordinary skill in the art to modify the liquid diverting bill guide means of Parish, with the first and second open end of Watabe to provide a route or pathway to guarantee that foreign matter would not enter into areas where electrical components are maintained to

prevent malfunctioning of such components e.g. remote foreign matter to remote areas (Watabe Col. 2:1-5).

Parish discloses clearly that the bill guide plate and mounting members are separate entities that make up an entire apparatus and therefore clearly indicate that such entities can be attached or detached by the appropriate fasteners (Figs. 2-10). However, Parish in view of Watabe fails to disclose a bill guide plate wherein a protrusion is formed on a rear wall of the plate and a cylindrical protrusion, including an internal thread, is formed on the lower wall of the bill guide plate and also wherein a groove is formed in a rear inner wall of the first open end of the mounting member, and the protrusion of the bill guide plate is insert able into the groove and the bill guide plate is tilt able towards the mounting member in order to assemble the bill guide plate onto the mounting member. Furthermore, the bill guide plate is fixed to the mounting member by a single fixed screw inserted or engaged with the internal thread of the said cylindrical protrusion. However, Applicant has not disclosed that having a bill guide plate wherein a protrusion is formed on a rear wall of the plate and a cylindrical protrusion, including an internal thread, is formed on the lower wall of the bill guide plate and also wherein a groove is formed in a rear inner wall of the first open end of the mounting member, and the protrusion of the bill guide plate is insert able into the groove and the bill guide plate is tilt able towards the mounting member in order to assemble the bill guide plate onto the mounting member and the bill guide plate is fixed to the mounting member by a single fixed screw inserted or engaged with the internal thread of the said cylindrical protrusion provides an advantage or solves a stated problem.

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One of ordinary skill in the art, furthermore, would have expected Parish's bill guide which is clearly attachable and detachable to the mounting member, and applicant's invention, to perform equally well with either the separate bill acceptor members, as taught by Parish in view of Watabe, or the claimed, as described above, because both would perform the same functions of being attachable and detachable and diverting liquid away from vulnerable entities within the machine.

Therefore, it would have been prima facie obvious to modify Parish in view of Watabe, such that the bill guide plate includes a protrusion on a rear wall of the plate and a cylindrical protrusion, including an internal thread, on the lower wall of the bill guide plate and a groove in a rear inner wall of the first open end of the mounting member, and the protrusion of the bill guide plate is insert able into the groove and the bill guide plate is tilt able towards the mounting member in order to assemble the bill guide plate onto the mounting member and the bill guide plate is fixed to the mounting member by a single fixed screw inserted or engaged with the internal thread of the said cylindrical protrusion because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Parish in view of Watabe.

**Claims 2-3 & 22-23:** Parish discloses that the slot openings of the bill guide are in a rectilinear formation and are parallel to each other. Partition members divide the slot openings into smaller slot openings (Figs. 3-4, & 10).

**Claims 4 & 24:** Referring to Figs. 3-4, & 10, the slot opening ((102) & (104)) lengths are smaller than the diameter of coin (Parish).

**Claims 10 & 26:** Watabe discloses the mounting member has a passage extending downward from the first open end to the second open end, being tapered as the passage extends downward (Figs. 5-6).

**Claims 5 & 25:** Parish discloses that the upper surface of the partition members closer to the bill insertion slot is lower than the upper surface of the partition members farther from the bill insertion slot and that the top surface of the separating walls are flush with each other (Figs. 3-7 bill guide is curved). Parish in view of Watabe meets the above limitations, but fails to disclose the upper surfaces of the partition members below a top surface of the bill guide plate. However, Applicant has not disclosed that the upper surfaces of the partition members below a top surface of the bill guide plate provides an advantage or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Parish's partition members, and applicant's invention, to perform equally well with either the partition members flush with the top surface, as taught by Parish in view of Watabe, or the claimed upper surfaces of the partition members below a top surface of the bill guide plate because both would perform the same functions of dividing the slot openings into smaller slot openings.

Therefore, it would have been *prima facie* obvious to modify Parish in view of Watabe, such that the upper surfaces of the partition members are below a top surface of the bill guide plate because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Parish in view of Watabe.



**Claims 27 & 30:** Parish discloses at least a portion of the top surface of the bill guide plate open to the outside through a loading slot of the notched part (Fig. 1).

**Claims 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parish et al (US 5,156,250) in view of Watabe et al (US 5,505,289) in further view of Townsend (US 3,481,464).**

**Claims 29-31:** Parish in view of Watabe discloses the above with respect to the independent claims, but excludes the entire top surface accessible from the outside. Examiner notes that Parish discloses diverting liquids downwardly and Watabe discloses only the bottom portion of the bill inlet having at least one aperture for diverting water, wherein there is no intended function of the structure above the bill guide. Also that Parish discloses clearly that the bill guide plate and mounting members are separate entities that make up an entire apparatus and therefore clearly indicate that such entities can be attached or detached (Figs. 2-10). However, Townsend discloses a bill validating apparatus, wherein the entire bill guide plate (102) is accessible from the outside of the insertion slot via bill mount/tray (22). It would have been obvious to one of ordinary skill in the art to have modified the bill guide plate of Parish in view of Watabe with the single outside accessible bill guide plate of Townsend to provide a visual indication of the bill guide plate to the player. Such a modification would deter dishonest users or vandals from attempting to damage the machine with any liquids or foreign matter due to the fact that the user would visually see an out of the ordinary or tamper preventing bill guide.

***Response to Arguments***

Applicant's arguments with respect to Claims 1-5, 8-10, & 20-32 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Yukimoto et al (US 5,605,214) teaches a bill guide plate with a first and second open end below it.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAMAR HARPER whose telephone number is (571)272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

/Ronald Laneau/  
Supervisory Patent Examiner, Art Unit 3714  
5/31/08